

RECEIVED
CENTRAL FAX CENTER

MAR 10 2005



FACSIMILE COVER SHEET

Date: March 10, 2005

To Examiner : Mina Haghighatian
Group 1616

From: Carolyn S. Elmore
Registration No. 37,567

Fax Number: (703) 872-9306

Subject: Paper: Reply to Final Office Action dated January 11, 2005

Docket No.: 2685.2030-000

Applicants: Jennifer L. Schmitke, *et al.*

Serial No.: 09/888,126

Filing Date: June 22, 2001

Number of pages including this cover sheet 12

Please confirm receipt of facsimile: Yes X No _____

Comments:

Privileged and Confidential – All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who received this communication in error is asked to notify us immediately by telephone and to destroy the original message or return it to us at the above address via first class mail.

Elmore, Craig & Vanstone, P.C., 209 Main Street, Chelmsford, MA 01863, USA. voice: (978) 251-3509 / fax: (978) 251-3973 . www.elmorecraig.com

MAR 10 2005

DOCKET NO. 2685.2030-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jennifer L. Schmitke, Donghao Chen, Richard P. Batycky, David A. Edwards and Jeffrey S. Hrkach

Application No.: 09/888,126 Group: 1616

Filed: June 22, 2001 Examiner: Mina Haghighatian

Confirmation No.: 9053

For: PARTICLES FOR INHALATION HAVING RAPID RELEASE PROPERTIES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<i>Rachel Meehan</i>	3/10/05
Signature	Date
RACHEL MEEHAN	
Typed or printed name of person signing certificate	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply After Final Rejection for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

THE FEE HAS BEEN CALCULATED AS SET FORTH BELOW													
	(COL. 1)			(COL. 2)		(COL. 3)	SMALL ENTITY			OTHER THAN SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE		ADDIT. FEE	<u>O</u> <u>R</u>	RATE	ADDIT. FEE	
TOTAL	57	MINUS *		60		0	X	\$ 9	\$0	X	\$18	\$0	
INDEP	3	MINUS **		3		0	X	\$42	\$0	X	\$84	\$0	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM							+	\$145	\$0	+	\$290	\$0	
								\$					
							TOTAL	=	0		TOTAL	=	\$
* not fewer than 20													
** not fewer than 3													

* not fewer than 20

** not fewer than 3


09/888,126

Please charge Deposit Account No. 502807 for the following fees:			
<input type="checkbox"/>	<input type="checkbox"/>	Petition for [] month Extension of Time	\$
<input type="checkbox"/>	<input type="checkbox"/>	Amendment Fee	\$
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Other Fees:	
		Terminal Disclaimer	\$ 130
			\$
TOTAL:			\$ 130
A check is enclosed in payment of the following fees:			
<input type="checkbox"/>	<input type="checkbox"/>	Petition for two month Extension of Time	\$
<input type="checkbox"/>	<input type="checkbox"/>	Amendment Fee	\$
<input type="checkbox"/>	<input type="checkbox"/>	Other Fees:	
			\$
			\$
TOTAL:			\$

☒ A general authorization is hereby granted to charge Deposit Account No. 502807 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application.

Respectfully submitted,

ELMORE, CRAIG & VANSTONE, P.C.

By 
 Carolyn S. Elmore
 Registration No.: 37,567
 Telephone (978) 251-3509
 Facsimile (978) 251-3973

Chelmsford, Massachusetts 01863

Dated: *March 10, 2005*

MAR 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/888,126 Confirmation No.: 9053
Applicants : Jennifer L. Schmitke, Donghao Chen, Richard P. Batycky,
David A. Edwards and Jeffrey S. Hrkach
Filed : June 22, 2001
TC/A.U. : 1616
Examiner : Mina Haghighatian
Docket No. : 2685.2030-000
Customer No. : 000038421
Title : Particles for Inhalation Having Rapid Release Properties

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<i>Rachel Meehan</i>	3/10/05
Signature	Date
RACHEL MEEHAN	
Typed or printed name of person signing certificate	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY AFTER FINAL REJECTION

Sir:

This Reply After Final Rejection is in response to the Final Office Action of January 11, 2005. Reconsideration is respectfully requested.